debtor was presented, he should be ordered to be released only on taking a security for his re-appearance from a respectable man.

(4) Hearing notes should be filed with the cases.

(5) The proceedings of the trial and the hearing should be conducted in the Vernacular language of the parties.

(6) Judgments also should be written in the Vernacular language.

(7) The Vakil should present his accounts connected with each case to be filed along with the case. At present, if the Vakils did not produce a certificate to the effect that their fees had been paid up within 15 days after the disposal of a case, the Vakils' fee would not be entered in the decree. That should not be the case. If a Vakil's fee had been actually paid, it should be shown in the decree. If it was not paid up, the Vakil should get the same from the party in the usual course.

(8) In small cause cases, all money spent by the plaintiff should be entered in the decree and held recoverable.

(9) The presiding officer should declare early in the day what cases he would take up that day and adjourn the other cases posted for the day to later dates.

(10) One or two Village Panchayat Courts should be opened in all the taluks.

(11) All Judges presiding over a single bench should state in their Diaries particulars as to the time at which they attended Court, the time spent in the Court, the number of cases tried and the time when the Court dispersed.

(12) In view of the confusion arising from selecting *thadasters* to attest attachments, auction sales, etc., of movable and immovable properties, four *thadasters* should be appointed for each *pidagai*. It should be made compulsory that only those men should attest transactions of the kind mentioned.

(13) Summonses, notices, etc., were not properly served on defendants by the peons. They should be arranged to be served by Anchal.

(14) Only competent persons should be appointed as Commissioners in Civil cases.

The Member then advocated the desirability of shifting one of the two Munsiffs' Courts at Nagercoil to Bhutapandi on the following grounds:—

(i) There would be sufficient work for a Munsiff at Bhutapandi, if the places called Navakkadu and Irachikulam, only 3 miles from Bhutapandi, were also placed under his jurisdiction.

(ii) The Court could be located in the local *satrom*. That would not entail any expenditure on the Government. The treasury at Bhutapandi could also be utilised for the proposed Court.

(iii) The Courts at Nagercoil were crowded. There was hardly any space in the precincts of the Court-house for parties, witnesses, etc.

(iv) The proposed Court at Bhutapandi would afford better convenience to the people of Tovala who had to walk several miles before they could reach the Courts at Nagercoil.

Dewan's reply.—Noted.

43. Needfor shiftin gthe Munsiff's Court at Krishnapurom to Kayankulam.

Mr. Peeli Pie Rama Pie (Member, Trading Classes, Kayankulam) said that the jurisdiction of the Krishnapurom Munsiff's Court extended to the Krishnapurom, Puthuppalli and Perunad *pakuthis* of the Karunagappalli taluk, Pathiyur, Keerikkad and Kandalur *pakuthis* of the Kartigappalli taluk and the Peringola *pakuthi* of the Mavelikara taluk, that the Court was located in the southernmost end of its jurisdiction and that nobody had any special convenience on account of the present

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location of the Court, as there were not many places included within its jurisdiction to the south of Krishnapurom. Most of the parties came from the west and they had better convenience to go to Kayankulam by backwater than to Krishnapurom. The parties living on the northern side found it difficult to go to the Court. The people of Kayankulam town who had to make greater use of the Court also experienced difficulties on account of the location of the Court at Krishnapurom. The town of Kayankulam was also rising in importance and had many public offices there. It was also a large commercial centre. The Government would not be put to additional expenditure in finding buildings for the Court. With the amount of Rs. 25 now paid as rent for the Court-house at Krishnapurom, it was possible to find a suitable building at Kayankulam also on hire. In view of the facts set forth above, the Member urged the necessity of transferring the Munsiff's Court at Krishnapurom to Kayankulam.

Dewan's reply.—This question had been brought forward at several sessions of the Assembly by the Members from Kayankulam. The Government, in consultation with the High Court, had decided that there was no necessity to transfer the Court to Kayankulam, as the people had no grounds for real grievance, the distance between Kayankulam and Krishnapuram being only two miles. It will not be possible to re-consider this decision in the near future.

44. Establishment of a Munsiff's Court at Changanacherry.

Mr. N. Trivikrama Kymal (Member, Changanacherry taluk) said that the need for a Munsiff's Court in the Changanacherry taluk was made the subject of representation in the Assembly several times by the Members of the taluk, that their representations had been consistently ignored by the Government, and that G. O. No. J. 6226, dated the 7th August 1915, was the last order on the subject declining to grant a Munsiff's Court for the place. The above order was based on the views expressed by the High Court that a Munsiff's Court was not necessary at Changanacherry. The recommendation of the High Court was against the opinion expressed by the District Judges of Alleppey and Kottayam and the several Munsiffs who had to deal with the cases from the Changanacherry taluk.

The Member next proceeded to examine the reasons given by the High Court in support of their view.

The first reason given by the High Court was that, to the people of the Puthuppalli *pakuthi* and to those of Vellavur and Vazhur *pakuthis*, which were under the jurisdiction of the Kottayam and Kanjirappalli Munsiff's Courts respectively, the existing arrangements were, in view of the shorter distances to Kottayam and Kanjirappalli, much more convenient than the placing of those *pakuthis* within the jurisdiction of a Court proposed to be established at Changanacherry. The Member said that the principle involved in the above reasoning was proximity and that the maximum and minimum distances from the Puthuppalli *pakuthi* to Kottayam and Changanacherry were 12 miles and 5 miles and 12 miles and 7 miles respectively. So, the inconvenience mentioned by the High Court was not, after all, so great.

The second ground mentioned by the High Court was that none of the five *pakuthis*, namely, Muttar, Ramankari, Velianad, Nilamperur and Changanacherry, which were within the jurisdiction of the Alleppey Munsiff's Court, were more than 15 miles from Alleppey and that that distance could be conveniently traversed in *vallams*, there being no dangerous backwaters to cross. To the above, the Member said that the question of proximity mentioned by the High Court in their first point was overlooked when they came to the second point. The maximum distance from Muttar and other places to Alleppey was more than 15 miles, whereas the maximum and minimum distances from those *pakuthis* to Changanacherry were only 4 miles and 2 miles respectively. The people of Nilamperur and Chennamkari had to cross the Vembanad *kayal* to reach Alleppey and that was one of the most dangerous backwaters in the State.

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